## MINUTES OF THE BOARD OF POLICE COMMISSIONERS MEETING TUESDAY, DECEMBER 18, 2012

A meeting of the Board of Police Commissioners of Kansas City, Missouri was held on Tuesday, December 18, 2012, at SPD/SOD, 9701 Marion Park Drive, Kansas City, Missouri.

#### PRESENT:

Commissioner Lisa T. Pelofsky, President Commissioner Alvin L. Brooks, Vice President Commissioner Angela Wasson-Hunt, Treasurer Commissioner Patrick A. McInerney, Member Darryl Forté, Chief of Police Mr. David V. Kenner, Secretary/Attorney

#### NOT PRESENT:

Mayor Sylvester "Sly" James, Jr., Member

This meeting was called to order at 9:06 a.m. by Commissioner Pelofsky. The invocation was provided by Pastor Ken Ray.

### 1. Awards and commendations.

Mr. Tom Krahenbuhl of the U.S. Department of Defenses Employer support of the Guard and Reserve, presented the Patriot Award to Chief Forté, Sergeant Keysha Johnson, Sergeant Edward Lamport, Captain Mike Wood, and Sergeant Grant Ruark for employers and supervisors who support Guardsmen and Reservists in their military duties.

## 2. Mr. Gary White.

Mr. White briefly discussed the monthly status report dated December 10, 2012. He said his office is currently reviewing management's response to the police video records audit.

- 2. Councilman John Sharp, Public Safety and Emergency Services

  Committee. Councilman Sharp thanked the Board for holding this meeting at the new South Patrol Division station. He also thanked the police department for choosing this particular location to build the new SPD/SOD. He said it will have an impact on revitalizing the Bannister corridor.
- **4. Approval of the minutes.** Commissioner Wasson-Hunt said a correction was necessary on page 4 of the November 1, 2012 minutes.

A motion was made by Commissioner Wasson-Hunt with a second by Commissioner Brooks approving the minutes of the November 1, 2012 minutes as amended. The vote was 4-0 in favor.

A motion was held by Commissioner McInerney with a second by Commissioner Wasson-Hunt approving the minutes of the November 9, 2012 Board retreat. The vote was 4-0 in favor.

# 5. <u>City Architects Report</u>.

Mr. Eric Bosch provided an update on current construction projects. Mr. Bosch said a few items still need to be completed at the new SPD/SOD. Trees and grass will be planted there this coming spring.

With regard to the new EPD and crime lab, the Public Works Department has been clearing items that have been illegally dumped in the area of the new EPD. He said 40-50 truckloads of debris were removed from this area.

He said abatement has begun on some of the homes and a demolition contractor is ready to tear down the homes. Deconstruction will begin in January on five of the homes.

Mr. Bosch said the headquarters project is moving along quickly and a crane was brought in to install the walls of the new Board room and to erect the tower on the north side of headquarters.

Mr. Bosch said the first change order for this project is on today's agenda. This is for unforeseen issues that occurred with the tunnel between headquarters and the Municipal Court building; the tunnel was about two feet off from where it was supposed to be. Apparently, when the original tunnel was dug, they hit rock and instead of digging it out, they built over it. The cost to rectify this problem was negotiated with J. E. Dunn.

**6.** <u>Chief Darryl Forté.</u> Chief Forté said he wanted to publicly thank Mr. Gary White, City Auditor, for the quality of work that comes from the City Auditor's office.

Chief Forté thanked the Ad-Hoc Group Against Crime and Commissioner Brooks for attending a prayer vigil that was held last Saturday.

#### 7. <u>Administration Bureau</u>.

a. <u>Personnel summary</u>. A/ Deputy Chief Pruetting submitted the personnel summary dated November 30, 2012. Current department strength is

1,347 law enforcement personnel compared to 1,386 for this same time period in 2011. There are 671 budgeted civilian positions compared to 578 for the same time period 2011.

- b. <u>Monthly report, OCC investigations</u>. A/ Deputy Chief Pruetting submitted the monthly OCC investigations report dated December 4, 2012. There were 25 OCC's under investigation at the end of November, none of which were granted extensions beyond 60 days. IAU has received a total of 156 OCC's this year compared to 208 during the same period last year. There were 153 investigations that were completed and forwarded to OCC compared to 205 for the same period last year. The vote was 4-0 in favor.
- c. Renewal, Occupational Health Services, Concentra Medical Centers. A/ Deputy Chief Pruetting submitted a memorandum dated December 3, 2012, which recommends the renewal of the contract with Concentra Medical Centers for occupational health services. This contract renewal is from January 1, 2013 through December 31, 2013.

A motion was made by Commissioner Brooks with a second by Commissioner McInerney approving the contract renewal with Concentra for an estimated cost of \$100,000. The vote was 4-0 in favor.

d. Renewal, Workers' Compensation/Psychological Services Premier

Work Comp/Concentra. A/ Deputy Chief Pruetting submitted a memorandum dated December 3, 2012, which recommends the renewal of the contract with Premier/Concentra Medical Centers for Workers' Compensation and

psychological services for a one year period from January 1, 2013 through December 31, 2013.

A motion was made by Commissioner McInerney with a second by Commissioner Brooks approving the contract renewal with Premier Work Comp/Concentra for an estimated cost of \$1,000,000.

**8.** <u>Investigations Bureau</u>. Major Randy Hopkins reported that year-to date there have been 102 homicides with 110 for the same time period last year.

Major Hopkins said there are 2,862 cases that have been presented to the prosecutor and charges were filed in 2,219 of these.

With regard to drive-by shootings, there have been 206 year-to-date for 2012, as compared to 191 last year 2011.

Deputy Chief Hundley submitted the Narcotics and Vice Summary for October 2012. This report is Attachment "A" and is made a part of these minutes.

He also submitted the 3<sup>th</sup> quarter Homicide Analysis. This report is Attachment "B" and is made a part of these minutes.

Commissioner Pelofsky asked if the numbers on the bias crime incident report are higher than usual. Major Hopkins said the year-to-date numbers are about the same with 41 in 2012, and 37 in 2011.

With regard to the Project Ceasefire Report, Commissioner Brooks said he would like to know from which areas of the city the firearms were recovered, along with information about Shotspotter®. Chief Forté recommended that this information be discussed in closed session.

### 9. Patrol Bureau.

Deputy Chief Cheryl Rose presented the Monthly Crime Summary for October 2012. This report is Attachment "C" to these minutes. Deputy Chief Rose said overall Part I crimes are down six percent compared to last month. Commissioner Brooks asked how carjacking is classified. Deputy Chief Rose said it is classified as robbery.

Commissioner Pelofsky asked if technology was in place that will allow the public to access police reports on line. A/ Deputy Chief Pruetting said this is not yet complete.

Also submitted was the November 2012, Traffic Summary which is marked as Attachment "D" to these minutes. Deputy Chief Rose reported that 12 fatal accidents occurred during the month of November 2012, which is higher than normal for this time of year.

Commissioner Pelofsky asked what types of cars are stolen the most.

Deputy Chief Rose said currently trucks are the most stolen vehicle and tail gates are the most stolen vehicle part.

## 10. Professional Development and Research Bureau.

a. <u>Entrant officer class summary</u>. Deputy Chief Patty Higgins submitted the entrant officer class summary dated December 13, 2012. This summary represents the 147<sup>th</sup> EOC that is currently in session. This class will graduate on April 11, 2013. The 148<sup>th</sup> EOC will begin on January 22, 2013.

Commissioner Brooks asked about the "unknown" race section of Table 4a and 4b of the race/ethnicity portion of this report. Deputy Chief Higgins said

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the applicants complete a form providing this information; if the applicant marks mixed race, the police department does not ask what race(s).

- **11.** <u>Executive Services Bureau</u>. Deputy Chief Gallagher presented the following items for Board approval:
- a. <u>FY 2013 vehicle bid purchases/vehicle specifications.</u> A memorandum dated October 19, 2012, was submitted recommending approval to purchase 60 police package vehicles for an estimated cost of \$1,462,500. The breakdown is as follows: 15 Dodge Chargers, 15 Ford Interceptor sedans, 15 Ford Interceptor SUVs, and 15 Chevrolet Caprice. Deputy Chief Gallagher said these cars will be evaluated by the driving track personnel and officers in the field.

A motion was made by Commissioner Brooks with a second by Commissioner Wasson-Hunt authorizing the purchase of 60 police package vehicles during fiscal year 2013 for an estimated cost of \$1,462,500. The vote was 4-0 in favor.

b. <u>Headquarters renovation movable walls and furniture</u>. A memorandum dated December 5, 2012, was submitted recommending approval to utilize public safety sales tax for the purchase of movable walls and furniture for police headquarters renovation. The police department will utilize U.S. Communities contracts, GSA contracts and sole source purchases. The appropriation requested from public safety sales tax is \$3,166,000.

A motion was made by Commissioner McInerney with a second by Commissioner Wasson-Hunt approving the use of public safety sales tax to

purchase movable walls and furniture in the amount of \$3,166,000. The vote was 4-0 in favor.

c. <u>Police package motorcycles</u>. A memorandum dated November 30, 2012, was submitted recommending approval to purchase 14 police package motorcycles from Gail's Harley Davidson for the cost of \$224,134.

A motion was made by Commissioner Wasson-Hunt with a second by Commissioner Brooks authorizing the purchase of motorcycles in the amount of \$224,134. The vote was 4-0 in favor.

### d. <u>Network and computer equipment for headquarters renovation</u>.

A memorandum dated December 5, 2012, was submitted recommending the use of public safety sales tax to purchase a network backbone, computer hardware/software items and peripherals for the headquarters renovation for a total cost of \$984,000. The computer hardware items will be purchased from Dell utilizing the WSCA contract. The software/peripheral equipment will be purchased from World Wide Technology utilizing the State of Missouri Prime Vendor Contract. Network backbone equipment and video surveillance/interrogation equipment will e purchased from Alexander Open Systems, IP Vision, MediaSolv Solutions, Electronics Supply and R.F. Fisher.

A motion was made by Commissioner McInerney with a second by Commissioner Wasson-Hunt approving the use of public safety sales tax to purchase computer equipment as presented for a total cost of \$984,000.

## e. Adjustments to special revenue funds for fiscal year 2012-13.

A memorandum dated December 5, 2012, requesting adjustments to the special revenue accounts for fiscal year 2012-13, to fund data network systems. A copy of this memorandum is Attachment "E" and made a part of these minutes.

A motion was made by Commissioner Wasson-Hunt, seconded by Commissioner Brooks and unanimously carried by the Commissioners approving the adjustments to the special revenue accounts as presented. The vote was 4-0 in favor.

## f. Budget transfers for fiscal year 2012-13.

A memorandum dated December 6, 2012, was submitted which outlines the details of these budget transfers. A copy of this memorandum is Attachment "F" and made a part of these minutes.

A motion was made by Commissioner Brooks, with a second by Commissioner McInerney approving the budget transfers as presented. The vote was 4-0 in favor.

g. <u>Budget Summary Report for the month of November</u>. A memorandum dated December 6, 2012, was submitted for informational purposes only. A copy of this memorandum is Attachment "G" and made a part of these minutes.

#### h. <u>Headquarters change order #1.</u>

A memorandum dated December 6, 2012, was submitted recommending approval of the headquarters change order in the amount of \$740,131 to be paid

from the \$3,000,000 contingency fund. This expenditure was required to revise a tunnel connecting the Municipal Court building to police headquarters.

A motion was made by Commissioner Wasson-Hunt with a second by Commissioner McInerney approving the use of the contingency fund in the amount of \$740,131 for headquarters change order #1. The vote was 4-0 in favor.

#### 12. Ms. I. Pearl Fain.

Ms. Fain presented the monthly statistical report for November 2012. This report is maintained in the Office of Community Complaints. OCC received a total of 25 complaints for the month of November 2012, and nine of these complaints were submitted to the Internal Affairs Unit for Investigation.

Commissioner McInerney asked for an explanation for the fact that improper procedure complaints are down and improper member conduct claims are down. Ms. Fain said she had no explanation other than complaints in general are down, including excessive force complaints.

- **13.** Audit Committee update. Commissioner Wasson-Hunt said an Audit Committee meeting has been scheduled for 8:00 a.m. on January 15, 2013.
- 14. <u>Commissioner Alvin Brooks</u>. Commissioner Brooks asked if the Board should take a legislative position on the topic of strengthening gun laws and supporting a ban on assault weapons. Mr. Kenner said if the Board chose to, it would be appropriate.

## 15. Scheduled meetings.

### **Regular Board Meetings**:

Tuesday, January 15, 2013 9:00 a.m., 6<sup>th</sup> floor, Board room

Tuesday, February 12, 2013 9:00 a.m., 6<sup>th</sup> floor, Board room

Thursday, March 28, 2013 9:00 a.m., 6<sup>th</sup> floor, Board room

### **Business Session:**

Tuesday, March 12, 2013 10:00 a.m., 6<sup>th</sup> floor, Board room

### **Audit Committee Meeting:**

Tuesday, January 15, 2013 8:00 a.m., 6<sup>th</sup> floor, Board room

### Board Hearing:

In the matter of the disciplinary proceedings of: Police Officer Gregory D. Chandler Tuesday, February 19, 2013 8:00 a.m., 6<sup>th</sup> floor, Board room

A motion was made by Commissioner McInerney, seconded by Commissioner Wasson-Hunt and by vote indicated below, to adjourn its open meeting at 10:00 a.m. and reconvene in closed session at 10:20 a.m. as provided in the following resolution. The vote was 4-0 in favor.

### **RESOLUTION**

WHEREAS, notice of the board meeting of the Board of Police Commissioners was given on September 25, 2012, and

WHEREAS, said notice indicated that the Board of Police Commissioners might go into closed session during said meeting, and

WHEREAS, notice of the closed meeting follows the guidelines of Section 610.020 of the Revised Statutes of Missouri.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Police Commissioners go into closed session during the meeting being held on Tuesday, December 18, 2012, at 9701 Marion Park Drive, multi-purpose building, Kansas City, Missouri, for the purpose of discussing legal matters, employment matters, litigation matters, and labor negotiations.

The following Commissioners were present and voted to go into closed session as follows:

Commissioner Lisa T. Pelofsky - Aye
Commissioner Alvin Brooks - Aye
Commissioner Angela Wasson-Hunt - Aye
Commissioner Patrick A. McInerney - Aye

There being a quorum present and the question of holding a closed session having received an affirmative public vote of at least three (3) members, a closed meeting was held as set forth above.

- 1) Following a motion by Commissioner Wasson-Hunt and a second by Commissioner Brooks, the Board voted to approve the minutes of the November 1, 2012, closed session of the Board. The vote was 4-0 in favor.
- 2) Following a motion by Commissioner Brooks and a second by Commissioner Wasson-Hunt, the Board voted to approve the application for continued employment by Reserve Sergeant William Conroy. The vote was 4-0 in favor.

3) Following a motion by Commissioner McInerney and a second by Commissioner Wasson-Hunt, the Board voted to go out of closed session. The vote was 4-0 in favor. Following polling, Commissioner Pelofsky voted Aye, Commissioner Brooks voted Aye, Commissioner McInerney voted Aye, and Commissioner Wasson-Hunt voted Aye.

Following the closed session the Board reconvened in open session at 10:43 a.m. to vote on the following items:

#### 16. Consent agenda item.

a. <u>Board Resolution No. 12-11, Cyril Ritter</u>. A motion was made by Commissioner Brooks with a second by Commissioner Wasson-Hunt approving Board Resolution No. 12-11, entitled Cyril Ritter. Commissioner McInerney abstained. The vote was 3-0 in favor.

### 17. <u>Labor negotiations</u>.

### a. Addendum to the FOP MOU.

A motion was made by Commissioner Brooks with a second by Commissioner McInerney approving a document entitled "Procedures for investigation file review and confidentiality agreement, addendum to memorandum of understanding between the Fraternal Order of Police Lodge 99 and the Board of Police Commissioners of Kansas City, Missouri," as amended. The vote was 4-0 in favor.

Ms. Virginia Murray noted a necessary correction on page 3 of the addendum.

Following a motion by Commissioner McInerney and a second by Commissioner Wasson-Hunt, the Board voted to adjourn. The vote was 4-0 in favor. Following polling, Commissioner Pelofsky voted aye, Commissioner Brooks voted aye, Commissioner McInerney voted aye, and Commissioner Wasson-Hunt voted aye.

	President
Secretary/Attorney	